

CLOSED

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

_____	:	
JOE ORR,	:	
	:	
Plaintiff,	:	Civil Action
	:	11-318 (FSH)
	:	
v.	:	<u>O R D E R</u>
	:	
MR. JOHN SHUST, et al.,	:	
	:	
Defendants.	:	
_____	:	

For the reasons expressed in the Opinion filed herewith,

IT IS on this 3rd day of May, 2011,

ORDERED that Plaintiff's application to proceed in this matter  
in forma pauperis is granted; and it is further

ORDERED that the Clerk shall file Plaintiff's complaint,  
Docket Entry No. 1; and it is further

ORDERED that Plaintiff's complaint, Docket Entry No. 1, is  
dismissed; and it is further

ORDERED that such dismissal is with prejudice with regard to  
all named Defendants except Defendant Barber, and the Clerk shall  
terminate all Defendants, except Defendant Barber, as Defendants in  
this action; and it is further

ORDERED that Plaintiff's claims seeking release from  
confinement are dismissed without prejudice to initiation of  
appropriate habeas action; and it is further

ORDERED that Plaintiff's claims against Defendant Barber are dismissed without prejudice to Plaintiff's filing of amended pleadings detailing the facts indicating the nature of the assault Plaintiff suffered and/or the medical need with regard to which he was denied treatment; and it is further

ORDERED that the Clerk shall administratively terminate this matter; administrative termination is not a dismissal on merits, and this Court does not withdraw its jurisdiction over this matter; and it is further

ORDERED that Plaintiff shall submit his amended pleadings within forty-five days from the date of entry of this Order. Plaintiff's amended complaint shall name, as defendants, all persons having personal involvement in the assault allegedly suffered by Plaintiff and in the denial of medical care allegedly experienced by Plaintiff. Plaintiff's amended pleadings shall detail the facts, i.e., the exact circumstances of the alleged assault and the exact injury suffered by Plaintiff as a result that alleged assault, as well as the specifics of the alleged medical need suffered by Plaintiff, the persons whom Plaintiff contacted for help/medical care and the responses (or lack thereof) that Plaintiff obtained as a result of the aforesaid contacts; and it is further

ORDERED that the Clerk shall serve this Order and Opinion filed herewith upon Plaintiff by means of regular U.S. mail,

together with a blank civil complaint form; and it is finally

ORDERED that the Clerk shall enter a new and separate entry on the docket reading, "CIVIL CASE ADMINISTRATIVELY TERMINATED, SUBJECT TO REOPENING UPON RECEIPT OF AMENDED PLEADINGS."

s/ Faith s. Hochberg  
**FAITH S. HOCHBERG,**  
**United States District Judge**